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January 11, 1993

BY HAND DELIVERY

The Honorable William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street N.W., Room 222
Washington, DC 20554

RE: Petition for Rulemaking

Dear Mr. Caton:

Please find enclosed a Petition for Rulemaking being filed by Tunica Broadcasting for amendment of the FM Table of Allotments. If there are any questions, please do not hesitate to contact the undersigned. Thank you for your assistance.

Respectfully submitted,



Barbara L. (Pixie) Waite
Counsel to Tunica Broadcasting

BLW/apf

Enclosure

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

JAN 11 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of Section 73.202(b)) MM Docket _____
Table of Allotments,) RM - _____
FM Broadcast Stations)
(Tunica, Mississippi))

To: The Commission

PETITION FOR RULE MAKING

Comes now Tunica Broadcasting (hereafter "Petitioner"),
by its attorney, pursuant to Section 1.401 of the
Commission's Rules, and respectfully petitions the
Commission to amend the FM Table of Allotments, 47 C.F.R.
73.202(b), to allocate FM Channel 241C3 to Tunica,
Mississippi, as that community's first local FM service.

Proposal of Petitioner:

<u>City</u>	<u>Channel Numbers</u>	
	<u>Present</u>	<u>Proposed</u>
Tunica, Mississippi	---	241C3

In support of this proposal, the following information is herewith submitted for consideration:

Tunica is an incorporated city located in northwestern Mississippi, approximately 60 kilometers south-southwest of Memphis, Tennessee. It is the county seat of Tunica County, Mississippi. The city population is 1,175 and the county population is 8,164 ^{1/}. Currently, there are no broadcast stations (AM, FM or TV) licensed to serve Tunica, Mississippi. Adoption of this proposal will provide Tunica with its first local broadcast service.

Attached hereto and made a part of this petition is a Technical Exhibit in support of the requested allotment. Based on the information contained therein, it appears that the requested channel could be allocated to Tunica in full compliance with the minimum distance separation requirements of Section 73.207(b) of the Commission's Rules, with a site-restriction as specified in the Technical Exhibit.

^{1/} Population figures from the 1990 U.S. Census.

If this proposal is adopted, Petitioner will promptly apply for authority to construct and operate a new FM broadcast station at Tunica, Mississippi. If a construction permit is granted, Petitioner will promptly construct and operate the proposed station.

WHEREFORE, it is respectfully requested that the instant petition be granted and that the FM Table of Allotments, Section 73.202(b), be amended as requested herein.

Respectfully submitted,

TUNICA BROADCASTING

Barbara L. Waite
Its Attorney

VENABLE, BAETJER, HOWARD & CIVILETTI
Suite 1000
1201 New York Avenue, NW
Washington, DC 20005
(202) 962-4811

January 10, 1994

TECHNICAL EXHIBIT

**IN SUPPORT OF
PETITION FOR RULE MAKING
NEW FM - CHANNEL 241C3
TUNICA, MISSISSIPPI**

TUNICA BROADCASTING

Prepared January 1, 1994

**CONTEMPORARY COMMUNICATIONS
Broadcast Consultants
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Cleveland, MS 38732
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TECHNICAL EXHIBIT

**IN SUPPORT OF PETITION FOR RULE MAKING
NEW FM - CHANNEL 241C3
TUNICA, MISSISSIPPI**

TUNICA BROADCASTING

INTRODUCTION

This Technical Exhibit supports the petition of Tunica Broadcasting seeking to amend the FM Table of Allotments, Section 73.202(b) of the Rules, by allocating FM Channel 241C3 to Tunica, Mississippi, as that community's first commercial FM channel.

ALLOCATION

A study was performed using the computerized *SEARCHFM* frequency search program and the current FCC/NTIS database to determine if Channel 241C3 could be allocated in compliance with the minimum distance separation requirements of Section 73.207(b) of the Commission's Rules. The study included all applicable co-channel, adjacent-channel and IF separations. The results of that study indicate that Channel 241C3 may be allocated to Tunica in full compliance with Section

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73.207(b), providing a site-restriction approximately 1.6 kilometers west of Tunica is imposed. The site-restriction would be necessary in order to avoid short-spacing to the licensed facilities of Station WLZA(FM), Channel 241C2 at Eupora, Mississippi.

The "useable area" for Channel 241C3 is indicated on Exhibit A, attached hereto. The exhibit depicts the required separation arcs from all pertinent co-channel and adjacent channel stations and allocations. As indicated, there is ample area in the vicinity of Tunica in which to locate a transmitter site. Assuming maximum Class C3 facilities (25 kw @ 100 meters above average terrain), a transmitter site at any location within the useable area would enable the proposed station to provide adequate city-grade (70 dBu) coverage to the entire city, in full compliance with Section 73.315(a) and (b).

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CONCLUSION

The proposed change in the table of allotments will not create a short-spacing to any existing station, pending application or vacant allotment, and will not require the reallocation of any station, pending application or vacant allotment.

A copy of the separation study for Channel 241C3 is attached hereto as Exhibit B and made a part of this report (only those stations and channels sufficiently close for concern are noted therein).

###

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AFFIDAVIT

State of Mississippi }
County of Bolivar } ss.

Larry G. Fuss, being first duly sworn, deposes and states as follows:

- 1) I am a qualified and experienced broadcast consultant. I have been actively involved in the broadcast industry since 1972 and currently hold a lifetime FCC General Class Radio Telephone License (License No. PG-8-8450).
- 2) I have prepared numerous applications and rule making petitions which have been accepted for filing with the Federal Communications Commission.
- 3) I have been retained by Tunica Broadcasting to prepare the attached Technical Exhibit.
- 4) The Technical Exhibit, of which this deposition is a part, and the measurements, calculations, studies and determinations upon which this report is based, were prepared by me or under my direction. All material contained therein is believed to be true and correct, to the best of my knowledge and belief.

Larry G. Fuss
Larry G. Fuss
Affiant

1/5/94
Date

Subscribed and sworn to before me this 5th day of January, 1994.

Nancy R. Sellers
Notary Public

My commission expires:

4-30-96

EXHIBIT A

KHLS

CITY GRADE LIMIT

WKDJ

WKDJ.A

COAHOMA

QUITMAN

PANO

CH.241C3 - USABLE AREA

EXHIBIT B**CONTEMPORARY COMMUNICATIONS
BROADCAST CONSULTANTS****TUNICA, MISSISSIPPI
NEW FM "DROP-IN" STUDY****REFERENCE**34 41 00 N
90 24 00 W**CLASS C3**

Current rules spacings

DISPLAY DATESDATA 11-24-93
SEARCH 01-01-94

CHANNEL 241 - 96.1 MHz

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
WLZA	241C2	Eupora	MS	135.5	176.77	177.0	-0.23 *
LI CN	33 32 51	89 03 22	40.000 kW	167M	109.9	110.0	
Tri-County Broadcasting Compa					BLH890421KB		
>From Channel 269-Old file Number 881027ID							
KHLS	242C1	Blytheville	AR	19.2	145.81	144.0	1.81 <
LI EN	35 55 27	89 52 18	100.000 kW	107M	90.6	89.5	
Sudbury Services, Inc.					BLH861120KA		
ALOPEN	240A	Potts Camp	MS	95.7	98.99	89.0	9.99
AL N	34 35 39	89 19 33	0.000 kW	0M	61.5	55.3	
93-146 WO= 931008					931108		
WKDJ	243A	Clarksdale	MS	196.1	56.68	42.0	14.68
LI CN	34 11 33	90 34 17	6.000 kW	56M	35.2	26.1	
Radio Station WKDJ					BLH881128KE		
WKDJ.A	243C3	Clarksdale	MS	181.2	64.63	43.0	21.63
AP CN	34 06 03	90 24 53	25.000 kW	80M	40.2	26.7	
Radio Station WKDJ					BPH900926IB		
ALOPEN	243C3	Clarksdale	MS	181.4	64.73	43.0	21.73
AL N	34 06 00	90 25 00	0.000 kW	0M	40.2	26.7	
89-372							
WYYA	239A	Olive Branch	MS	48.9	65.87	42.0	23.87
LI DCN	35 04 24	89 51 24	6.000 kW	100M	40.9	26.1	
Olive Branch Broadcasting Cor					BLH930119KA		
>Transmitter located in Memphis, TN.							